

PART I Provincial Offences Act

CITY OF OTTAWA – BY-LAW NO. 2004-163, SHORT TITLE: Open Air Fire By-law

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Offence Creating Provision or Defining Offence	COLUMN 3 Set Fine
1.	Set or maintain open air fire without a permit	S. 3(1)	1000.00
2.	Set or maintain open air fire within a prohibited area	S. 3(2)	100.00
3.	Set or maintain open air fire within a restricted area	S. 3(3)	100.00
4.	Set or maintain open air fire when fire ban issued by Fire Chief	S. 3(6)	100.00
5.	Fail to notify Fire Chief for permission on day of each open air fire	S. 5(4)(a)	100.00
6.	Fail to ensure person 18 years of age or older maintains constant watch and control over open air fire at all times until it is extinguished	S. 5(4)(b)	100.00
7.	Fail to produce permit	S. 5(4)(c)	100.00
8.	Fail to immediately extinguish open air fire upon being ordered by Fire Chief	S. 5(4)(d)	100.00

WVC

Note: The generic offence and penalty provisions for the offences indicated above are Sections 14 & 15 of By-law No. 2004-163, a certified copy of which has been filed, Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33 as amended

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9.	Fail to have equipment capable of extinguishing fire immediately available at site of open air fire	S. 5(4)(f)	100.00
10.	Set or maintain open air fire (2m or less in length, width and height or in burn drum) at distance less than 30m from any (building, hedge, fence, overheard wiring, other combustible material, highway)	S. 6(1)(a)	100.00
11.	Set or maintain open air fire (2m or less in length, width and height or in burn drum) at distance less than 25m from another open air fire	S. 6(1)(a)	100.00
12.	Set or maintain open air fire (2m or less in length, width and height or in burn drum) where combustible material is present within radius of 15m from open air fire	S. 6(1)(b)	100.00
13.	Set or maintain open air fire (2m or less in length, width and height or in burn drum) that exceeds size limits	S. 6(1)(c)	100.00
14.	Set or maintain open air fire (2m or less in length, width and height or in burn drum) with aid of (flammable, combustible liquids)	S. 6(1)(d)	100.00

WR

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15.	Set or maintain open air fire 2m or less in length, width and height that uses fuel other than wood, tree limbs and branches	S. 6(1)(e)	100.00
16.	Set or maintain open air fire in a burn drum that uses fuel other than wood, tree limbs, paper, sisal twine	S. 6(1)(e)	100.00
17.	Set or maintain open air fire (2m in length, width and height or in burn drum) that uses prohibited material	S. 6(1)(f)	100.00
18.	Set or maintain open air fire (2m in length, width and height or in burn drum) before sunrise	S. 6(1)(g)	100.00
19.	Set or maintain open air fire (2m in length, width and height or in burn drum) after sunset	S. 6(1)(g)	100.00
20.	Set or maintain open air fire between 2m and 3m in length, width and height at distance less than 60m from any (building, hedge, fence, overhead wiring, highway)	S. 6(3)(a)	100.00

WJc

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21.	Set or maintain open air fire between 2m and 3m in length, width and height, at distance less than 25m from another open air fire	S. 6(3)(a)	100.00
22.	Set or maintain open air fire between 2m and 3m in length, width and height where combustible material is present within a 30m radius from open air fire	S. 6(3)(b)	100.00
23.	Set or maintain campfire where material to be burned exceeds 60cm in width at largest point	S. 7(a)	100.00
24.	Set or maintain campfire where material to be burned is piled higher than 50cm in height	S. 7(a)	100.00
25.	Set or maintain campfire that uses material other than dry firewood	S. 7(b)	100.00
26.	Set or maintain campfire at distance less than 15m from any (building, hedge, fence, overhead wiring, combustible material, highway) where campfire is not surrounded by non-combustible material	S.7(d)	100.00

W.J.C.

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27.	Set or maintain campfire at distance less than 10m from any (building, hedge, fence, overhead wiring, other combustible material, highway) where campfire is surrounded by non-combustible material to a minimum height of 30cm	S. 7(e)	100.00
28.	Set or maintain open air fire in outdoor fireplace at distance of less than 5m from any (building, hedge, fence, overhead wiring, combustible material, highway)	S. 8(a)	100.00
29.	Set or maintain open air fire in outdoor fireplace not equipped with spark arrester	S. 8(a)	100.00
30.	Set or maintain open air fire in outdoor fireplace on combustible surface extending beyond outdoor fireplace to dimension equal to its height	S. 8(b)	100.00
31.	Set or maintain open air fire in outdoor fireplace that uses material	S. 8(c)	100.00

W.D.C.

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32.	Set or maintain windrow that exceeds size limits	S. 9(a)	100.00
33.	Set or maintain windrow at distance of less than 90cm from a (building, overhead wiring, highway)	S. 9(b)	100.00
34.	Set or maintain windrow at distance of less than 60cm from a (wooden fence, rail, hedge, standing timber)	S. 9(c)	100.00
35.	Set or maintain windrow at distance of less than 30m from any other combustible material	S. 9(d)	100.00

*The fine amounts listed above have been approved
by the Regional Senior Justice.
Dated: February 8, 2022
W. Vincent Griffith
Regional Senior Justice - Ontario Court of Justice,
East Region*

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